



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,456	12/13/2000	Mathias Bauer	P-4580	9764

7590 12/08/2003

Forrest Gunnison
Gunnison, McKay & Hodgson, L.L.P.
1900 Garden Road, Suite 220
Monterey, CA 93940

EXAMINER

BASOM, BLAINE T

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 12/08/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/738,456

Applicant(s)

BAUER ET AL.

Examiner

Blaine Basom

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9-19,21 and 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9-19,21 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION***Response to Arguments***

The Examiner acknowledges the Applicants' amendments to claims 1, 3-7, 9-12, 15-19, 21, and 23, and the cancellation of claims 2, 8, 20, 22, and 24. Regarding claims 1, 7, 19, 21, and 23, the Applicants argue that the U.S. Patent of Yagi, which was described in the previous Office Action, fails to teach a "section comprising a list of predefined default directories," as has been added to each of the claims. The Applicants particularly argue that, although Yagi teaches a section comprising a folder tree of predefined default directories, such a folder tree is not a list. The Examiner respectfully disagrees with this argument. As stated in the previous Office Action and again below, a folder tree is a hierarchical list. This association between a tree and a list is well-known in the art.¹ Thus given the broadest, most reasonable interpretation of a "list," the folder tree described by Yagi is indeed a list, and therefore, Yagi teaches a section comprising a list of predefined default directories.

With respect to claim 13, the Applicants argue that the "Browse" button in figure 9(A) of Yagi fails to support two different actions, as has been contended in the previous Office Action. Particularly, the Applicants insist that the contents of a directory are displayed in the window of figure 9(A) as a result of selecting an "Open" button, and that therefore, the "Browse" button is not used to display the contents of a directory in the window of figure 9(A). The Examiner respectfully disagrees with this argument. While it is true that the "Open" button results in the display of the window of figure 9(A) and a specific directory, the "Browse" button may additionally be used to display the contents of a directory in the window of figure 9(A). For example, Yagi discloses that simply selecting the "Browse" button results in the display of a

Art Unit: 2173

folder tree screen, like that shown in figure 9(B) (see column 10, line 66 – column 11, line 9).

This folder tree screen displays a list of files and folders, whereby if a folder is selected, the file selection screen of figure 9(A) shows the currently selected folder (see column 11, lines 10-16).

Thus upon a first action on this “Browse” button, this first action specifically being the selection of the “Browse” button and the subsequent selection of a folder in the resulting folder tree screen (figure 9(B)), the contents of a directory are displayed in a directory content window, i.e. figure 9(A). Upon a second action on this “Browse” button, this second action simply being the selection of the “Browse” button, a file navigation dialogue window, i.e. figure 9(B), is displayed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 4-5, 7, 10-11, 13-14, 16-17, 19, 21, and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,393,429, which is attributed to Yagi et al. (and hereafter referred to as “Yagi”). In general, Yagi presents a “file handling device,” which is intended to reduce the time and effort required to select a file within a file directory structure (see column 2, line 66 – column 3, line 4). Consequently, Yagi is considered to teach a method of entering a new file directory on a computer.

Art Unit: 2173

With respect to claim 1, figures 9(A) and 9(B) present a graphical user interface implementing the file handling device taught by Yagi. Figure 9(A) more specifically shows a “file selection” screen which is used to find and open a particular file (see column 10, lines 61-66). It is understood that when this file selection screen is first opened, the contents of a current folder are displayed in a “list box” within the screen (see column 10, lines 11-16). As designated by reference number 82, this file selection screen contains a “Browse” button which when selected, results in the display of the “folder tree screen” shown in figure 9(B) (see column 10, line 66 – column 11, line 5). As shown in figure 9(B), the folder tree screen is divided into a plurality of sections, wherein of particular relevance to the claimed invention, one section displays an ordinary folder tree, a second section displays user-defined folders, and a third section displays recently accessed folders (see column 11, lines 5-9). Yagi discloses that, by using a “display item setting” screen, one may choose whether to display the recently accessed folders section and the user-defined folders section, in addition to specifying which folders to display in the user-defined folders section (see column 7, line 66 - column 8, line 14). However, it is understood that the ordinary folder tree is displayed regardless, or in other words, it is displayed by default. As shown in figure 9(B), the ordinary folder tree is essentially a hierarchical list of all the folders and files on the user’s computer. The folders displayed in the ordinary folder tree are therefore considered default directories. Yagi thus teaches that the plurality of sections displayed in the folder tree screen comprises a first section, namely the ordinary folder tree section, which comprises a list of predefined default directories; a second section, namely the user-defined folders section, which comprises at least one user selected directory; and a third section, namely the recently accessed folders section, which comprises a

Art Unit: 2173

last used directory. Yagi further discloses that if a folder in any of these sections is selected, the content of that folder is displayed in the file selection screen of figure 9(A) (see column 11, lines 10-16). Consequently, it is understood that Yagi teaches: displaying a file navigation icon, namely a Browse button; displaying a file navigation dialogue window, namely a folder tree screen, which is displayed in response to the selection of this browse button, and wherein this folder tree screen comprises a plurality of sections, specifically an ordinary folder tree section, i.e. a predefined default directories section, a recently accessed folders section comprising a last used directory, and a user-defined folders section comprising at least one user selected directory, wherein each of these sections includes at least one directory, i.e. folder; and, displaying the contents of a folder in response to the selection of the folder in the folder tree screen.

Regarding claim 19, Yagi discloses that the above-described method is implemented as a computer program (see column 6, lines 33-54). Consequently, such a program implementing the above-described method is considered a computer program product, like that recited in claim 19, which is for entering a new file directory.

Regarding claim 23, Yagi discloses that the above-described method is implemented on a computer (see column 6, lines 14-24). Consequently, such a computer implementing the above-described method is considered an apparatus, like that recited in claim 23.

Concerning claim 7, the above-described method taught by Yagi comprises: displaying a file open window, namely a file selection screen, wherein this file selection screen includes a file navigation icon, specifically a Browse button, and wherein the contents of a first directory, i.e. a current folder, are displayed in the file selection screen; displaying a file navigation dialogue window, namely a folder tree screen, which is displayed in response to the selection of this

Art Unit: 2173

browse button, and wherein this folder tree screen comprises a plurality of sections, specifically an ordinary folder tree section comprising a list of predefined default directories, a recently accessed folders section comprising a last used directory, and a user-defined folders section comprising at least one user selected directory, wherein each of these sections includes at least one directory, i.e. folder; and lastly, displaying the contents of a folder in response to the selection of the folder in the folder tree screen, whereby there is no predefined hierarchical relationship between the first directory and this folder.

Regarding claim 21, Yagi discloses that the above-described method is implemented as a computer program (see column 6, lines 33-54). Consequently, such a program implementing the above-described method is considered a computer program product, like that recited in claim 21, which is for entering a new file directory.

In regard to claim 13, the above-described method taught by Yagi comprises: displaying a file open window, referred to as a file selection screen, wherein this file selection screen includes a directory content window, or more specifically, a list box, and also, wherein this file selection screen includes a file navigation icon, specifically a Browse button. As further described above, Yagi teaches that upon a first action on this Browse button, the contents of a directory are displayed in the directory content window, i.e. list box. This first action is specifically defined as the selection of the Browse button, and then the subsequent selection of a directory displayed within the ensuing file navigation dialogue window, i.e. folder tree screen. As shown above, Yagi further teaches that upon a second action on the Browse button, a file navigation dialog window, referred to as a folder tree screen, is displayed. This second action is defined as the selection of the Browse button.

As per claim 14, the folder tree screen put forth by Yagi comprises a plurality of sections, wherein of particular relevance to the claimed invention, one section displays an ordinary folder tree, a second section displays user-defined folders, and a third section displays recently accessed folders, as is shown above. Yagi discloses that, by using a "display item setting" screen, one may choose whether to display the recently accessed folders section and the user-defined folders section, in addition to specifying which folders to display in the user-defined folders section (see column 7, line 66 - column 8, line 14). However, it is understood that the ordinary folder tree is displayed regardless, or in other words, it is displayed by default. As shown in figure 9(B), the ordinary folder tree is essentially a hierarchical list of all the folders and files on the user's computer. The folders displayed in the ordinary folder tree are therefore considered default directories. Yagi thus teaches that the plurality of sections displayed in the folder tree screen comprises a first section, namely the ordinary folder tree section, which comprises a list of predefined default directories; a second section, namely the user-defined folders section, which comprises at least one user selected directory; and a third section, namely the recently accessed folders section, which comprises a last used directory.

Regarding claims 4, 10, and 16, Yagi discloses that the style and content of the folder tree screen, i.e. the file navigation dialogue window, is based on user input into a display item setting screen (see column 7, line 66 - column 8, line 14). Also, Yagi discloses that the above-described method of displaying a folder tree screen is applied to an entire operating system, as apposed to a single application or document (see column 6, lines 10-13). Consequently, it is interpreted that the style and content of the folder tree screen is independent of the current document context.

In reference to claims 5, 11, and 17, the folder tree screen put forth by Yagi comprises a plurality of sections, wherein as shown above, one such section displays the last used directory, i.e. folder. Thus anytime that a folder is accessed but is not in this section, the folder is added to the section, as is expressed by Yagi (see column 1, lines 34-40). As there are a set number of folders that may be displayed in this section, if the section is full and a new folder has to be added, the oldest folder is removed from the section. Consequently, the section always maintains the *last* accessed folder. It is therefore understood that, because the section maintains a list of the recently used folders, which includes the last accessed folder, the section contains the latest used folders that would be accessed in the present computer or network session.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 6, 9, 12, 15, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over the U.S. Patent of Yagi, which is described above, and also over U.S. Patent No. 6,370,549, which is attributed to Saxton. As shown above, Yagi discloses a method and graphical user interface like that of claims 1, 7, and 14, wherein a folder tree screen, i.e. a file navigation dialog window, is displayed. As shown above, this folder tree screen is comprised of a plurality of sections; a first section, namely an ordinary folder tree section, comprises a list of predefined default directories; a second section, namely a user-defined folders section, comprises at least

Art Unit: 2173

one user selected directory; and a third section, namely a recently accessed folders section, comprises a last used directory. As further shown above, the ordinary folder tree section displays a hierarchical list of all the folders and files on the user's computer. Yagi however does not explicitly disclose that this list contains a document templates directory, as is recited in each of claims 3, 9, and 15. Furthermore, Yagi teaches that by using a display item setting screen, one may specify which folders to display in the user-defined folders section (see column 7, line 66 - column 8, line 14). It is thus understood that a user may choose any folder on the user's computer to display in this section. However, and in regard to the claimed invention, Yagi does not explicitly teach that this section includes a shared user directory accessible to a plurality of users, as is expressed in each of claims 6, 12, and 18.

Like Yagi, the U.S. Patent of Saxton concerns the efficient access of files and folders within a file directory structure (see column 2, lines 7-12). Concerning the claimed invention, Saxton provides an illustration of such a directory structure, the illustration being shown in figure 2a. This directory structure, like the ordinary folder tree section of Yagi, displays a hierarchical list of files and folders. Moreover, this directory structure includes a "templates" directory, which is designated by reference number 220, and which is interpreted to be a document templates directory. Also, the directory structure shown by figure 2a includes a "shared files" directory, which is designated by reference number 204, and which is interpreted to be a shared user directory accessible to a plurality of users. The uses and benefits of document templates, as well as shared files, are known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Yagi and Saxton before him at the time the invention was made, to modify the

hierarchical file structure presented by Yagi to include a document templates directory and a shared user directory as is in the file structure presented by Saxton. It would have been advantageous to one of ordinary skill to utilize such combination because grouping shared files and document templates into directories provides for better file organization and thus faster access to these files, as is demonstrated by Saxton. Consequently, since the ordinary folder tree section taught by Yagi displays a hierarchical list of all the folders and files on the user's computer, it is understood that the ordinary folder tree section would thus display a document templates directory, which as taught Yagi and Saxton, is included in the hierarchical list of all the folders and files on the user's computer. Similarly, since a user may choose any folder on the user's computer to display in the user-defined folders section, and since as taught by the combination of Yagi and Saxton, the hierarchical file structure on the user's computer includes a shared user folder, it is understood that a user may choose to display a shared user folder in the user-defined folders section. Thus the combination of Yagi and Saxton teaches that the predefined default directories, i.e. the ordinary folder tree section, includes a document templates directory. Similarly, the combination teaches that the user-defined folders section, i.e. the list of user-defined directories, may include a shared user directory accessible to a plurality of users.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

Art Unit: 2173

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

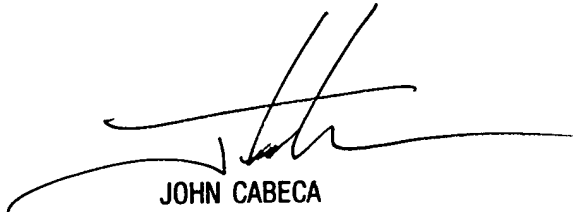
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blaine Basom whose telephone number is (703) 305-7694. The examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7238.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

btb

¹ For example, see column 6, lines 23-29 of U.S. Patent No. 6,606,105; see column 9, lines 5-7 of U.S. Patent No. 6,584,507; and see the abstract of U.S. Patent No. 5,977,971.



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 21.